



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Kuniya Kaneko et al.

Application No.: 09/729,800

Filed: December 6, 2000

For: DEMAND-PRODUCTION SCHEME
PLANNING APPARATUS, AND
STORAGE MEDIUM

) **MAIL STOP AMENDMENT**

) Group Art Unit: 3623

) Examiner: ERIC T SHAFFER

) Confirmation No.: 8148

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: October 21, 2004

Sir:

This election is filed in response to the Office Action dated September 10, 2004 (Paper No. 1). In the Office Action, the Examiner identified two distinct inventions. The Examiner required the Applicants, under 35 U.S.C. §121, to elect a single invention for prosecution. The two inventions identified by the Examiner are:

I) Claims 1-30, drawn to an apparatus for storing data regarding cost and time data regarding the scheduling the receipt, order placement, purchase and supply steps that involves calculating and maximizing profitability index,

II) Claims 31-35, drawn to a planning system that plans a sale or production scheme that determines number of items requested, the location of said items, and the direction of the materials flow of said items.

Pursuant to the Examiner's requirement, the Applicants elect Group I, claims 1-30. It is understood that claims 31-35 will be withdrawn from prosecution. Applicants reserve the right to file divisional applications.

An earlier examination and favorable action on claims 1-30 are respectfully requested.

In the event this paper is not considered to be timely filed, Applicants hereby petition for an appropriate extension of time. The Commissioner is authorized to charge payment for any additional fees which may be required with respect to this paper to our Deposit Account No. 02-4800.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: October 21, 2004

By: 

Ellen Marcie Emas
Registration No. 32,131

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620